

MICHIGAN SUPREME COURT



Office of Public Information

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FOR IMMEDIATE RELEASE

MICHIGAN COURT OF APPEALS TO HOLD HEARINGS IN MARQUETTE, PETOSKEY

LANSING, MI, May 13, 2004 – The Michigan Court of Appeals will hold oral arguments in Marquette and Petoskey next week, hearing a number of cases on appeal from northern Michigan trial courts.

A Court of Appeals panel including Chief Judge William C. Whitbeck, Judge Stephen L. Borrello, and Judge Richard Allen Griffin will hold court on **Tuesday, May 18 and Wednesday, May 19**, starting at 10 a.m., in the 25th Circuit courtroom at 234 W. Baraga Avenue in Marquette.

The judges will also hold oral arguments in Petoskey on **Thursday, May 20** starting at 10 a.m. in the Emmett County Circuit courtroom. The court is located at the County Building on 200 Division Street.

Court of Appeals Chief Judge William C. Whitbeck said that the Court of Appeals holds hearings in its Lansing, Detroit, and Grand Rapids offices. The court also schedules hearings in the Upper Peninsula and northern Lower Peninsula to accommodate litigants and attorneys from those parts of the state, Whitbeck explained. Traditionally, the Court of Appeals presides in the Upper Peninsula twice a year. In October 2002 and May 2003, the court split the usual Upper Peninsula assignment to hold one sitting in Petoskey.

“In addition to easing the travel burden for parties and their counsel, we also want the public in the Upper Peninsula and northern Lower Peninsula to have the opportunity to see a Court of Appeals hearing,” Whitbeck said. “Many people have attended a trial, but few are familiar with how our state appellate courts function. We hope that the public will attend all or part of the hearings to see the appellate process at work.”

The judges will be available at 9:30 a.m. before each hearing to answer general questions from the media and the public about the Court of Appeals’ history and role in Michigan’s judicial system.

The cases the panel will hear include:

TUESDAY, MAY 18, 2004 – MARQUETTE

People of Michigan v. Pierre Daniel Johnson, case no. 246263, on appeal from Marquette County Circuit Court: Armed Robbery

People of Michigan v. Craig Edward Hayes, case no. 250076, on appeal from Dickinson County Circuit Court: Breaking and Entering; Falsely Passing Lottery Ticket

People of Michigan v. Dean Ewald Korth, case no. 245625, on appeal from Delta County Circuit Court: Embezzlement

Bruce Behnke v. Estate of Karen McLean, case no. 248107, on appeal from Chippewa County Circuit Court: Auto No-Fault; Tort Threshold

Cheryl A. Vader v. Daniel J. Vader, case no. 246878, on appeal from Delta County Circuit Court: Summary Disposition; Divorce Settlement Fraud

Lisa Grahovac v. Munising Township, case no. 248352, on appeal from Alger County Circuit Court: Summary Disposition; Governmental Immunity; Wrongful Death

Susan Heider v. Comfort Menominee Association, case no. 251217, on appeal from Menominee County Circuit Court: Summary Disposition; Negligence

David M. Aho v. Department of Corrections, case no. 247801, on appeal from Marquette County Circuit Court: Summary Disposition; Retaliatory Discrimination

Grede Foundries Inc. v. Industrial Construction Specialists, Inc., case no. 250551, on appeal from Dickinson County Circuit Court: Summary Disposition; Indemnity Clause

People of Michigan v. George Vernon Grawn, case no. 250231, on appeal from Marquette County Circuit Court: Stalking

Garold L. Whitehead v. Leland Ross, case no. 247064, on appeal from Alger County Circuit Court: Property Dispute; Easement

James Bishop v. Burger King Corp., case no. 250083, on appeal from Mackinac County Circuit Court: Summary Disposition; Negligence; Defective Building Design

WEDNESDAY, MAY 19, 2004 – MARQUETTE

People of Michigan v. David Patrick McMahon, case no. 250460, on appeal from Marquette County Circuit Court: Felonious Assault

People of Michigan v. Bruce Lee Ilves, case no. 247388, on appeal from Marquette County Circuit Court: Criminal Sexual Conduct

Darlene Vanvorous v. Eric Burmeister, case no. 248450, on appeal from Menominee County Circuit Court: Summary Disposition; Civil Assault and Battery; Negligence; Intentional Infliction of Emotional Distress

Roger Maatta v. Dead River Campers, Inc., case no. 248848, on appeal from Marquette County Circuit Court: Property Dispute; Restrictive Covenant

John Allan Kennedy v. State Farm Mutual Auto Insurance Co., case no. 251004, on appeal from Marquette County Circuit Court: Summary Disposition; Auto No-Fault

Craig Hughes v. Lake Superior & Ishpeming Railroad Co., case no. 246260, on appeal from Marquette County Circuit Court: Summary Disposition; Federal Employer's Liability Act

Donald Paul Grisham v. Mavis Mae Grisham, case no. 250537, on appeal from Marquette County Circuit Court: Divorce

Jane Rasmussen v. Stambaugh Cemetery Association, case no. 249552, on appeal from Iron County Circuit Court: Summary Disposition; Governmental Immunity

THURSDAY, MAY 20, 2004 – PETOSKEY

People of Michigan v. Robert Lee Mongar, case no. 246043, on appeal from Osceola County Circuit Court: Intent To Commit Criminal Sexual Conduct

People of Michigan v. Wayne Allen Russell, case no. 243747, on appeal from Kalkaska County Circuit Court: First-Degree Home Invasion; Assault With Intent To Commit Sexual Penetration; Attempt; Indecent Exposure By A Sexually Delinquent Person

People of Michigan v. Ramon Castillo, case no. 246728, on appeal from Kalkaska County Circuit Court: Criminal Sexual Conduct

People of Michigan v. Randall Glenn Rossbach, case no. 245262, on appeal from Gladwin County Circuit Court: Arson

People of Michigan v. Steffiney Ann Carpenter, case no. 244515, on appeal from Charlevoix County Circuit Court: Larceny

Hugh Brown III v. Caledonia Township, case no. 244773, on appeal from Alcona County Circuit Court: Zoning; Special Use Permit

Manistee County Road Commission v. Northwoods Development, L.L.C., case no. 243971, on appeal from Manistee County Circuit Court: Property Dispute; Public Road

Brenner Oil Co. v. William O. Crank, case no. 243572, on appeal from Crawford County Circuit Court: Contract; Enforceability of Guaranty

Diane Wilson v. Alpena County Road Commission, case no. 243357, on appeal from Alpena County Circuit Court: Summary Disposition; Negligent Road Maintenance

Richard W. Joseph v. Daniel Glomski, case no. 244792, on appeal from Presque Isle County Circuit Court: Property Dispute; Easements

Brian Bellville v. Consumers Energy Co., case no. 243719, on appeal from Ogemaw County Circuit Court: Negligence; Fraudulent Misrepresentation

Robert W. Smith v. William H. Coleman, case no. 243768, on appeal from Roscommon County Circuit Court: Property Dispute; Easement

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